

REMARKS

I. Status of Claims

Claims 20-43 are pending in the present application. By this Amendment, Claims 20-24, 38 have been amended and new Claims 44-46 have been added.

II. Claim 38

Claim 38 was indicated to be allowable if rewritten in independent form. Claim 38 has been rewritten into independent form and further amended to omit the limitation "consisting of a single scan line." It is submitted that Claim 38 should be allowable as amended.

III. Section 102/103 Rejections

Claims 22, 28 and 37 are rejected under 35 USC § 103 over Nickl '732 in view of Hellekson '164.

Claims 22 and 28 have been amended to include the limitation whereby one of the first and second surface areas is oriented generally horizontally and the other is oriented generally vertically. It is noted that other limitations of Claims 22 and 28 have also been amended. It is submitted that as amended, Claims 22

and 28, as well as Claim 37 depending upon Claim 28, are non-obvious and allowable over the items of record.

IV. Claims 20-23

It is noted that Claims 20-23 had been copied from claims 1, 23, 34 and 37 in U.S. Patent 5,693,930 (as noted in the Information Disclosure Statement dated 12/20/2000). By the present Amendment, Claims 20-23 have been amended. It is submitted that, as amended, these claims are not interfering with those claims of the 5,693,930 patent.

V. New Claims 44-46

New Claim 44 depending on Claim 39 and new Claim 45 depending upon Claim 28 include additional distinguishing elements and should be allowable.

New independent Claim 46 includes the limitations

wherein one of the mirrors comprises a movable mirror that is movable between first position and a second position,

wherein with the movable mirror in the first position, the scanning element scans the light beam across the mirrors to generate a first scan pattern and direct it out of the housing,

wherein with the movable mirror in the second position, the scanning element scans the light beam across the mirrors to generate a second scan pattern, different than the first scan pattern, and direct it out of the housing.

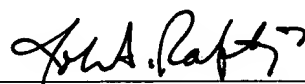
It is submitted that Claim 46 is non-obvious and allowable over the items of record.

VI. Conclusion

Therefore it is submitted that Claims 28-46 are allowable over the items of record. Once the claims are indicated to be in allowable form, an appropriate supplemental reissue declaration will be submitted in order to obtain a Notice of Allowance.

Respectfully submitted,

Dated: March 29, 2005

By: 
John A. Rafter, Jr.
Reg. No. 31,653

33451
STOEL RIVES LLP
900 SW Fifth Avenue, Suite 2600
Portland, OR 97204-1268
Telephone: (503) 224-3380
Facsimile: (503) 220-2480